

Notice of Allowability

Application No.

09/937,004

Examiner

Wes Tucker

Applicant(s)

MIMURA ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 8-14-06.
2. ☒ The allowed claim(s) is/are 1 and 5-24 (renumbered 1-21).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None¹ of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JOSEPH MANCUSO
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed August 14th 2006 has been entered and made of record.
2. Applicant has amended claims 1, 10 and 12. Claims 2, 3 and 4 have been cancelled. Applicant has added new claims 22-24. Claims 1 and 5-24 are currently pending.
3. Applicant's remarks in view of the now presented amendments and in view of the telephonic interview conducted on August 10th 2006, have been considered and are found fully persuasive. Reasons for allowance are given below.

Allowable Subject Matter

Claims 1 and 5-14 are allowed.

The following is an examiner's statement of reasons for allowance:

The claims were previously rejected in view of the combination of U.S. Patent 6,719,200 to Wiebe, Japanese Patent Application Publication No. 06-301768 (Application No. 05-086477): Fingerprint Collation Device, Publication Date: October 1994) to Iwata, hereinafter referred to as Iwata, and U.S. Patent 5,040,224 to Hara and further in view of U.S. Patent 6,241,288 to Bergenek et al.

Independent claims 1, 10 and 12 have now been amended to include the specific limitation of: wherein the requesting means of the mobile storage device repeatedly

requests information for specifying each partial image one by one. The reference to Bergenek was previously cited to teach the limitation of matching partial images within the fingerprints. Bergenek discloses matching partial images with a locational template, but does not teach or fairly suggest the one by one nature of requesting and transmitting the partial images that is now claimed. None of the prior art found teaches nor fairly suggests this process. Accordingly Claims 1 and 5-12 are all found allowable. Independent claims 13, 17 and 21 already contained the one by one feature and in view of applicant remarks and discussion these claims and subsequent dependent claims are also accordingly allowable. Therefore Claims 1 and 5-24 are all found to be allowable.

Applicant's extensive remarks also detail the distinguishing limitations in the way the fingerprint matching is performed. The Examiner's interview summary also discusses the differences.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 571-272-7427. The examiner can normally be reached on 9AM-5PM.

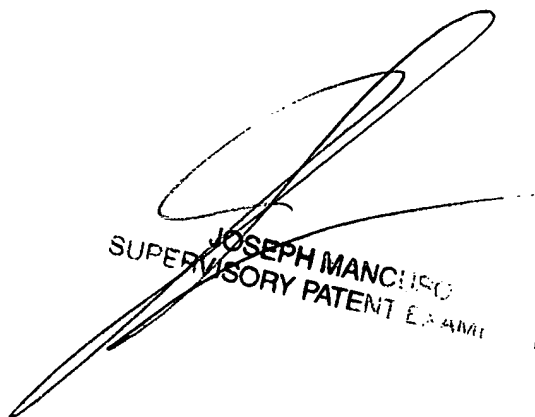
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-2214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wes Tucker

8-23-06


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